

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:

DANNY LANE KEYS  
JANICE DIANE KEYS  
80 TIMBERLINE RD  
CROSSVILLE, TN 38571

SSN XXX-XX-8108      SSN XXX-XX-0264

12-07578-RM2-13

JUDGE RANDAL S MASHBURN

Date: 10/03/14

**THE DEADLINE FOR FILING A TIMELY RESPONSIVE STATEMENT IS 10/24/2014.**

**IF A STATEMENT OPPOSING THE TRUSTEE'S NOTICE OR MOTION IS TIMELY FILED, THE HEARING DATE WILL BE: 11/19/2014 AT 9:30 AM FEDERAL BLDG & POST OFFICE, 9 BROAD STREET, COOKEVILLE, TN , 38501.**

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**NOTICE OF FINAL CURE PAYMENT PURSUANT TO RULE 3002.1  
AND MOTION FOR AN ORDER DECLARING §1322(b)(5) CLAIM CURRENT AND DEFAULTS CURED**

The Trustee has filed a Notice of Final Cure Payment pursuant to Rule 3002.1., F.R.B.P. and has also filed a Motion for Order Declaring a §1322(b)(5) Claim Current and All Defaults Cured.

**YOUR RIGHTS MAY BE AFFECTED.** If you do not want the court to grant the attached motion or if you want the court to consider your views on the motion, then on or before the response date stated above, you or your attorney must:

1. File with the court your response or objection explaining your position. Please note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <https://ecf.tnmb.uscourts.gov>.

If you need assistance with Electronic Case Filing you may call the Bankruptcy Court at (615)736-5584. The Bankruptcy Court may be visited in person at: US Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M.- 4:00 P.M.).

2. Your response must state the deadline for filing response, the date of the scheduled hearing, and the motion to which you are responding .

If you file a statement that you do not agree with the Trustee's Notice before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by calling the Clerk's office at 615-736-5584 or viewing the case on the Court's web site at <[www.tnmb.uscourts.gov](http://www.tnmb.uscourts.gov)>.

If you do not file a statement as a supplement to the Proof of Claim that you DO NOT agree with the Trustee's Notice of Final Cure Payment, or you file a statement as a supplement to the Proof of Claim that you agree with the Trustee's Notice of Final Cure Payment, the Trustee will submit the attached Proposed Order for entry .

/s/ Henry E. Hildebrand, III  
HENRY E. HILDEBRAND, III  
CHAPTER 13 TRUSTEE  
P O BOX 340019  
NASHVILLE, TN 37203  
PHONE: 615-244-1101  
FAX: 615-242-3241  
pleadings@ch13nsh.com

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12-07578-RM2-13  
JUDGE RANDAL S MASHBURN  
10/3/2014

**TRUSTEE'S NOTICE OF FINAL CURE PAYMENT AND**  
**MOTION FOR AN ORDER DECLARING §1322(b)(5) CLAIM CURRENT AND DEFAULTS CURED**

Pursuant to Rule 3002.1(f) the Trustee has filed a Notice of Final Cure Payment and has requested an Order declaring that the §1322(b)(5) claim is current and all defaults have been cured.

**GLENN AND BEATRICE TERRY  
806 OAKLEY WAY  
GATLINBURG, TN 37738**

**FINAL CURE AMOUNT: (PREPETITION DEFAULT)**

Court Claim Number	6	Trustee's Claim Number	2
Account Number	xxxxxx		
Universal Claim Identifier			
Claim Asserted	\$0.00		
Claim Allowed	\$8,250.00		
Amount Paid By Trustee	\$8,250.00		

**MONTHLY ONGOING MORTGAGE PAYMENTS**

The Trustee has made post-petition payments to the creditor ("conduit"). The Trustee's records demonstrate that all post-petition payments have been made through the payment for **October 2014**. Attached to this Notice and Motion, is an accounting of all payments made by the Trustee on the post-confirmation "conduit" payments. The totals are listed below:

Court's Claim Number	6	Trustee's Claim Number	1
<b>Post Petition</b>			
Date of Claim	Oct 13, 2012		
Date of 1st Payment	December 31, 2012 for month Jan 2013		
Post Confirmation Payments	\$181,500.00		
Date of Last Payment	Sep 30, 2014 for month Oct 2014		

The trustee will continue to make ongoing mortgage payments for subsequent months pending the resolution of this matter.

Within 21 days of the service of the Notice of Final Cure Payment, the creditor MUST file and serve a statement indicating 1) whether it agrees that the default has been cured and 2) whether consistent with §1322(b)(2), the post-confirmation payments are current. If applicable, the statement shall itemize any required cure or post-confirmation amounts that the creditor contends remain unpaid as of the date of the statement. The statement shall be filed as a supplement to the proof of claim.

This notice shall also constitute a motion by the Trustee for an order finding that the default has been cured and the post-confirmation payments are current. If the creditor files a notice that it agrees that the default has been cured and it agrees that the post-confirmation payments have been paid, the Trustee will submit an order finding that the default has been cured and the post-confirmation payments are current.

If the creditor files a statement that it disagrees with the Trustee's Notice and Motion of Final Cure Payment, the Trustee shall submit an order where the Court shall fix a hearing, establishing date, time and location, as required pursuant to Rule 3002.1 (h).

Dated:10/3/2014

Respectfully Submitted By:

/s/ Henry E. Hildebrand, III  
HENRY E. HILDEBRAND, III  
CHAPTER 13 TRUSTEE  
P O BOX 340019  
NASHVILLE, TN 37203  
PHONE: 615-244-1101  
FAX: 615-242-3241  
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#### CERTIFICATE OF SERVICE

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I hereby certify that a true and correct copy of the foregoing has been served by US Postal Service, postage prepaid on DANNY LANE KEYS & JANICE DIANE KEYS, 80 Timberline Rd, Crossville, TN 38571; and  
GLENN AND BEATRICE TERRY 806 OAKLEY WAY, GATLINBURG, TN 37738  
HOWARD G PICK P O BOX 3285, CROSSVILLE, TN 38557;  
on 10/03/2014 and electronically noticed to STEVEN L LEFKOVITZ, and Ms Beth R Derrick, Assistant US Trustee, pursuant to Court's ECF delivery.

/s/Henry E. Hildebrand, III  
HENRY E. HILDEBRAND, III  
Standing Chapter 13 Trustee

### EXHIBIT TO PARAGRAPH 3 OF TRUSTEES MOTION

DANNY LANE KEYS  
JANICE DIANE KEYS

12-07578-RM2-13

### PAYMENTS ON CONTINUING POST PETITION MORTGAGE OBLIGATION

Date of Payment	Creditor Name	Check Number	Amount
12/31/2012	GLENN AND BEA TERRY	3221980	\$8250.00
01/31/2013	GLENN AND BEA TERRY	3231717	\$8250.00
02/28/2013	GLENN AND BEA TERRY	3241225	\$8250.00
03/31/2013	GLENN AND BEATRICE TERRY	3251912	\$8250.00
04/30/2013	GLENN AND BEATRICE TERRY	3262612	\$8250.00
05/31/2013	GLENN AND BEATRICE TERRY	3272136	\$8250.00
06/30/2013	GLENN AND BEATRICE TERRY	3281829	\$8250.00
07/31/2013	GLENN AND BEATRICE TERRY	3291696	\$8250.00
08/31/2013	GLENN AND BEATRICE TERRY	3301452	\$8250.00
09/30/2013	GLENN AND BEATRICE TERRY	3311187	\$8250.00
10/31/2013	GLENN AND BEATRICE TERRY	3320987	\$8250.00
12/31/2013	GLENN AND BEATRICE TERRY	3341120	\$16500.00
01/31/2014	GLENN AND BEATRICE TERRY	3351827	\$8250.00
04/30/2014	GLENN AND BEATRICE TERRY	3380123	\$11000.00
05/31/2014	GLENN AND BEATRICE TERRY	3389702	\$11000.00
06/30/2014	GLENN AND BEATRICE TERRY	3399394	\$11000.00
07/31/2014	GLENN AND BEATRICE TERRY	3408924	\$11000.00
09/30/2014	GLENN AND BEATRICE TERRY	3427430	\$22000.00
	Total of Continuing Payments		\$181500.00

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**ORDER ESTABLISHING THAT PRECONFIRMATION DEFAULT HAS BEEN CURED AND THAT LONG TERM DEBT TREATED PER §1322(b)(5) IS CURRENT AFTER STATEMENT OF AGREEMENT OR NO RESPONSE**

It appearing to the Court, based upon the certification of the Trustee, as indicated by his electronic signature below, that the Trustee has filed a Notice of Final Cure Payment and has filed a motion requesting an order of the Court finding that the Notice of Final Cure Payment is accurate, the long term debt is current and all defaults have been cured; and that notice of the Trustee's request and an accounting of payments made by the Trustee was mailed to the debtor, debtor (s') counsel and the below listed creditors and that either no objection to the Trustee's request was raised, or a Statement was filed agreeing with the Trustee's Notice of Final Cure, it is

**ORDERED**, that the §1322(b)(5) claim listed below shall be deemed current and that all defaults in the claim(s) shall be deemed cured:

GLENN AND BEATRICE TERRY  
806 OAKLEY WAY  
GATLINBURG, TN 37738

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The trustee will continue to make ongoing mortgage payments for subsequent months pending the resolution of this matter .

**ORDERED**, That this declaration that the long term obligation is current is made as of this date: **October 2014**

This order was signed and entered electronically as indicated at the top of the first page .

APPROVED BY:

/s/ Henry E. Hildebrand, III  
HENRY E. HILDEBRAND, III  
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